

ORDINANCE NO. 2111

AN ORDINANCE PRESCRIBING REGULATIONS CONSISTENT WITH NATIONALLY RECOGNIZED GOOD PRACTICE FOR THE SAFEGUARDING TO A REASONABLE DEGREE OF LIFE AND PROPERTY FROM THE HAZARDS OF FIRE AND EXPLOSION ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE USE OR OCCUPANCY OF BUILDINGS OR PREMISES IN THE CITY OF GRAND JUNCTION, COLORADO, ADOPTING BY REFERENCE THERETO THE UNIFORM FIRE CODE AND UNIFORM FIRE CODE STANDARD OF THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS AND WESTERN FIRE CHIEFS ASSOCIATION, 1982 EDITION, TOGETHER WITH THE APPENDICES THERETO, WITH CERTAIN AMENDMENTS THERETO, ESTABLISHING A BUREAU OF FIRE PREVENTION, PROVIDING CERTAIN DEFINITIONS, ESTABLISHING THE LIMITS OF CERTAIN DISTRICTS FOR THE STORAGE OF CERTAIN MATERIALS, PROVIDING PENALTIES FOR VIOLATION OF THE CODES AND ORDINANCE, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

Section 1, Adoption of Uniform Fire Code and Uniform Fire Code Standards:

There is hereby adopted by the City Council of the City of Grand Junction for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the Uniform Fire Code recommended by the Western Fire Chiefs Association and the International Conference of Building Officials being particularly the 1982 edition thereof and the whole thereof, of which code not less than three (3) copies have been and are now filed in the office of the clerk of the City of Grand Junction and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Ordinance shall take effect the provision thereof shall be controlling within the limits of the City of Grand Junction.

Section 2, Establishment and Duties of Bureau of Fire Prevention:

(a) The Uniform Fire Code shall be enforced by the Bureau of Fire Prevention in the fire department of the City of Grand Junction which is hereby established and which shall be operated under the supervision of the Chief of the fire department.

(b) The chief in charge of the bureau of fire prevention shall be appointed by the Fire Chief on the basis of examination to determine his qualifications.

(c) The Chief of the Fire Department may detail such members of the fire department as inspectors as shall from time to time be necessary. The chief of the fire department shall recommend to the city manager the employment of technical inspectors, who, when

such authorization is made, shall be selected through an examination to determine their fitness for the position. The examination shall be open to members and nonmembers of the fire department, and appointments made after examination shall be for an indefinite term with removal only for cause.

Section 3, Definitions:

(a) Wherever the word "jurisdiction" is used in the Uniform Fire Code, it shall be held to mean the City of Grand Junction.

(b) Wherever the term "Corporation Counsel" is used in the Uniform Fire Code, it shall be held to mean the attorney for the City of Grand Junction.

Section 4, Establishment of limits of districts in which Storage of Flammable or Combustible Liquids in Outside Aboveground Tanks is to be Prohibited.

(a) The limits referred to in Section 79.501 of the Uniform Fire Code in which storage of Flammable or Combustible liquids in outside aboveground tanks is permitted, are hereby established as follows:

Lands within the City of Grand Junction that are zoned in the categories of C-2 (Heavy Commercial), I-1 (Light Industrial) and I-2 (Heavy Industrial); provided, however, the fire chief may permit such use in C-1 (Light Commercial) when it can be demonstrated that such use may be safely undertaken in the particular location.

(b) The limits referred to in Section 7.1401 of the Uniform Fire Code, in which new bulk plants for flammable or combustible liquids are permitted are hereby established as follows:

Lands within the City of Grand Junction that are zoned in the categories of C-2 (Heavy Commercial), I-1 (Light Industrial) and I-2 (Heavy Industrial); provided, however, the fire chief may permit such use in C-1 (Light Commercial) when it can be demonstrated that such use may be safely undertaken in the particular location.

Section 5, Establishments of Limits in which Bulk Storage of Liquefied Petroleum Gases is to be Restricted.

The limits referred to in Section 82.105(a) of the Uniform Fire Code, in which bulk storage of liquefied petroleum gas is restricted, are hereby established as follows:

Lands within the City of Grand Junction that are zoned in the categories of C-2 (Heavy Commercial), I-1 (Light Industrial) and I-2 (Heavy Industrial); provided, however, the fire chief may permit such use in C-1 (Light Commercial) when it can be demonstrated that such use may be safely undertaken in the

particular location.

Section 6, Establishments of Limits of Districts in which Storage of Explosives and Blasting Agents is to be Prohibited.

The limits referred to in Section 77.1069b) of the Uniform Fire Code in which storage of explosives and blasting agents is prohibited, are hereby established as follows:

Within the limits of the City of Grand Junction; provided, however, this restriction shall not prohibit such use where the storage is made by an individual or company for use of that individual or company and under proper safeguard as may be prescribed.

Section 7, Appeals.

Whenever the chief shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the chief to the board of adjustment and appeals within 30 days from the date of the decision appealed.

Section 8, New materials, processes or Occupancies which may require Permits.

The city manager, the chief and the chief of the bureau of fire prevention shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits, in addition to those not enumerated in said code. The chief of the bureau of fire prevention shall post such list in a conspicuous place in his office and distribute copies thereof to interested persons.

Section 9, Penalties.

(a) Any person who shall violate any of the provisions of this code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the City of Grand Junction or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine of not more than \$300.00 or by imprisonment for not more than 90 days or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct

or remedy such violations or defects within a reasonable time; and when not otherwise specified, each 10 days that prohibited conditions are maintained shall constitute a separate offense.

(b) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

Section 10, Repeal of conflicting ordinances.

All former ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance or the Code hereby adopted are hereby repealed.

Section 11, Amendments to the Codes as printed.

(a) Section 10.307, Par (a) of the Uniform Fire Code is amended to read as follows:

(a) Apartments and Hotels: An approved automatic fire alarm system shall be installed in the following occupancies:

1. Apartment houses three stories or floors in height, INCLUDING GARDEN LEVELS, or containing more than 15 apartments.

EXCEPTION: An alarm need not be installed in buildings not over two stories in height when all individual dwelling units are separated by at least one-hour fire-resistive occupancy separations, including attics and crawl spaces, and each individual dwelling unit has direct exit to a yard or public way.

2. Hotels either three stories, or floors including GARDEN LEVELS, or more in height or containing 20 or more guest rooms.

3. A-1, A-2, A-2.1 occupancies with an occupant load of 300 or more (except Churches and Schools), shall be equipped with Fire Alarms as specified by Fire Code.

4. "Story" for the purpose of requirements of installation of fire protection sprinklers, fire alarms, and standpipes, story is defined as any habitable level used or occupied by humans.

(b) Section 10.308(d), Exceptions (1) is amended to read:

An automatic fire extinguishing system not covered by U.B.C. Standard No.38-1 or 38-2 shall be approved and installed in accordance with approved standards (NATIONAL FIRE CODES - N.F.P.A.)

(c) Section 10.309b), be amended by the addition of a sub-section #5, reading as follows:

#5 - ANY BUILDING FOUR STORIES OR MORE IN HEIGHT OR HAVING FOUR LEVELS ABOVE THE LOWEST FIRE DEPARTMENT ACCESS. ALL A-1, A-2, AND A-2.1 WITH AN OCCUPANT LOAD OF 300 OR MORE (EXCEPT CHURCHES AND

SCHOOLS) SHALL BE SPRINKLERED. EXIT PASSAGEWAYS SERVING ABOVE OCCUPANCIES THROUGH ANOTHER OCCUPANCY SHALL BE SPRINKLERED.

(d) Section 10.309(g) Group I - Occupancies - Exceptions (1) shall be amended to read as follows:

In hospitals of Type I, II fire-resistive and Type II one-hour construction, the automatic sprinkler system may be omitted from operating, delivery, cardiac, x-ray and intensive care rooms. Increases for area and heights specified in Section 506(c) and 507 shall not apply when this exception is used.

(e) Section 10.312(a), is amended to read:

GENERAL. Standpipes shall comply with requirements of this section and U.B.C. standards No. 38-2 (OR NATIONAL FIRE CODE - N.F.P.A.).

(f) Section 10.312 be amended by the addition of a subsection (f) reading as follows:

(f) THE CHIEF MAY REQUIRE STANDPIPE PROTECTION, WHEN HIS OPINION ACCESS IS RESTRICTED, OR AN UNDUE HARDSHIP WOULD BE PLACED ON FIRE DEPARTMENT LAYING HOSE LINE IN THE BUILDING, DUE TO ARRANGEMENT OF STAIRWAY, AREA SEPARATION WALL, OCCUPANCY WALLS, ETC.

(g) Section 13.102, Add new section (c), Smoking Prohibited in certain public places, reading as follows:

(c) SMOKING IS DEFINED AS MEANING THE CARRYING OF A LIGHTED PIPE, LIGHTED CIGAR, OR LIGHTED CIGARETTE OF ANY KIND AND INCLUDES THE LIGHTING OF A PIPE, CIGAR, OR CIGARETTE OF ANY KIND, IS PROHIBITED IN THE FOLLOWING PUBLIC PLACES:

ANY BUILDING USED OR DESIGNED PRIMARILY FOR THE PURPOSE OF EXHIBITING ANY MOTION PICTURE, STAGE DRAMA, LECTURE, MUSICAL RECITAL OR OTHER SUCH PERFORMANCE, WHENEVER OPEN TO THE PUBLIC; EXCEPT THAT SMOKING SHALL BE ALLOWED IN AREAS COMMONLY REFERRED TO AS A LOBBY, IF SUCH LOBBY IS REASONABLY SEPARATED FROM THE SPECTATOR AREA.

(h) Section 78.102(b), Add Exception I

IT SHALL BE UNLAWFUL TO POSSESS, STORE, TO OFFER FOR SALE, EXPOSE FOR SALE, SELL AT RETAIL, OR USE OR EXPLODE THOSE FIRE WORKS THAT ARE DEEMED LAWFUL BY STATE OF COLORADO (C.R.S. 12-28-101) AND SUCH FIRE WORKS HAVE BEEN SUBMITTED TO AND APPROVED BY THE GRAND JUNCTION FIRE DEPARTMENT.

(i) Section 79.802(b) is amended by the addition of an Exception reading as follows:

GRAVITY DISPENSING WILL BE PERMITTED FOR PORTABLE TANKS UP TO 660 GALLONS IN INDUSTRIAL AND COMMERCIAL AREAS, USED FOR INDUSTRIAL USES. TANKS MUST MEET ALL OTHER REQUIREMENTS OF THIS CODE AND

Section 79.1007(f).

(j) Appendix 1-A, 11-D, Delete Entire Sections from Code.

Section 11, Validity.

The City Council of the City of Grand Junction hereby declares that should any section, paragraph, sentence or word of this ordinance or of the code hereby adopted be declared for any reason to be invalid, it is the intent of the City Council that it would have passed all other portions of this ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

Section 12, Date of Effect.

This ordinance shall take effect and be in force from and after its approval as required by law.

PASSED and ADOPTED this 16th day of March, 1983.

Frank M. Dunn

President of the Council Pro Tem

Attest:

Neva B. Lockhart, CMC

City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 2111, was introduced, read, and ordered published by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 2nd day of February, 1983, and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 17th day of March, 1983.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk

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